

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

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ELIZABETH BROUGHT,

Defendant.

**CONSENT PRELIMINARY ORDER
OF FORFEITURE/
MONEY JUDGMENT**

23 Cr. 455

“Defendant”), was charged in a one-count Information, 23 Cr. 455 (the “Information”), with narcotics conspiracy in violation Title 21, United States Code, Section 846 (Count One);

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 853, of any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense charged in Count One of the Information and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense charged in Count One of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Information;

WHEREAS, on or about August 30, 2023, the Defendant pled guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit to the United States, pursuant to Title 21, United States Code, Section 853, a sum of money equal to \$252,000 in United States currency, representing proceeds traceable to the commission of the offense charged in Count One of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$252,000 in United States currency, representing the amount of proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained;

WHEREAS, the Government agrees to accept payment of \$10,000 from the Defendant in full satisfaction of the \$252,000 money judgment, provided the \$10,000 payment is made in full prior to Defendant being sentenced by the Court; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Michael D. Maimin, and Kevin Sullivan of counsel, and the Defendant, and her counsel, Richard D. Willstatter, Esq., that:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$252,000 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained, shall be entered against the Defendant.

2. Payment by the Defendant of \$10,000 in United States currency to the Government prior to the Court's sentencing of the Defendant will constitute full satisfaction of the Money Judgment (the "Satisfaction Payment").

3. In the event the Defendant fails to make the Satisfaction Payment prior to the Court's sentencing of Defendant, the full Money Judgment will remain due and nothing in this

Consent Preliminary Order of Forfeiture/Money Judgment shall be construed to prevent the Government from seeking the forfeiture of substitute assets in satisfaction of the full Money Judgment.

4. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, ELIZABETH BROUGHT, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

5. The Satisfaction Payment and any other payment on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

6. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

7. Pursuant to Title 21, United States Code, Section 853(p), should the Defendant fail to make the Satisfaction Payment, the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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10. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By:


MICHAEL D. MAIMIN
KEVIN SULLIVAN
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-1952/1924

8/30/23
DATE

ELIZABETH BROUGHT

By:


ELIZABETH BROUGHT

8/30/2023
DATE

By:


RICHARD D. WILLSTATTER, ESQ.
Attorney for Defendant
200 Mamaroneck Avenue, Suite 605
White Plains, New York 10601

8/30/23
DATE

SO ORDERED:


HONORABLE Vincent L. Briccetti
UNITED STATES DISTRICT JUDGE

1/10/2024
DATE